

M. Marshall

UNITED STATES DISTRICT COURT FILED

for the

2011 JUN -1 PM 3:56

United States of America
v.
Avelardo JAIMES-Espinoza

Case No.

A-11-M-407

CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY

DEPUTY

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 17 to 19, 2011 in the county of Travis in the
Western District of Texas, the defendant(s) violated:

Code Section

Offense Description

Title 18 USC 1956 (h)

Conspiracy to launder monetary instruments in violation J.J.

OF 18 USC 1956 (a) (2)

This criminal complaint is based on these facts:

See Attachment.

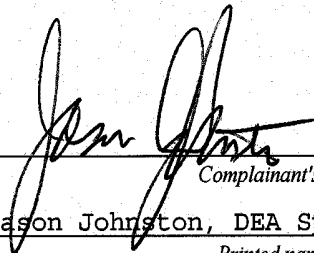
☒ Continued on the attached sheet.

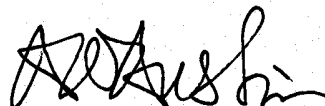
Sworn to before me and signed in my presence.

Date:

6/1/11

City and state: Austin, Texas


Complainant's signature
Jason Johnston, DEA Special Agent
Printed name and title


Judge's signature

Andrew Austin, U.S. Magistrate Judge
Printed name and title

COMPLAINT AFFIDAVIT

1. On May, 16, 2011, DEA Austin Agents were informed by a Confidential Source of Information (CS) that Mark REW and William HARBISON were traveling from Foley, Alabama to Austin, Texas with approximately \$110,000 in United States Currency that was derived from the sales of cocaine in a green 1998 Dodge Dakota bearing Alabama license plate #5A96S43. The CS further informed Agents that the money was hidden in an air compressor and was to be delivered to Jose Procoro LORENZO-Rodriguez aka Javier Romero RODRIGUEZ. The CS also provided information that Mark REW and his sister Jennifer REW were cocaine and money transporters for the organization and were paid money for their efforts. The CS informed Agents that Avelardo JAIMES-Espinoza is a member of a drug trafficking organization, along with LORENZO and other co-conspirators that are responsible for the distribution of cocaine from Austin, Texas to the Foley, Alabama area and the return of the drug proceeds. The CS further informed Agents that JAIMES maintains records of payments made to co-conspirators for transporting

the cocaine and at one point was the Foley, Alabama cell head.

2. On May 17, 2011, DEA Task Force Officers (Baton Rouge Police Officers) in Baton Rouge, Louisiana made consensual contact with REW and HARBINSON in the green Dodge Dakota bearing Alabama license plate 5A96S43 at 1100 block or Bob Pettit, JL's Bar, in the parking lot. Upon making consensual contact with Mark REW, who was the driver, officers observed REW to be asleep. The front seat passenger was later identified as William HARBISON. At that time, Officers could smell a strong odor of marijuana coming from the vehicle and the occupants. When questioned about the odor of marijuana REW and HARBISON informed officers that they had just smoked a marijuana joint and had been parked in the parking lot for 5 hours. The Task Force Officers received consent to search the Dodge truck from REW. Task Force Officers subsequently located an air compressor in the bed of the truck, which upon further inspection revealed an undetermined amount of U.S. Currency hidden inside it. The U.S. Currency was contained in 9 large bundles. The U.S. currency was later counted and found to be \$109,990 in

USC. REW and HARBISON disclaimed ownership or knowledge of the money, so Task Force Officers seized the money. HARBISON later stated to Task Force Officers, "I wish you would put me in jail, they are going to kill me over this missing money". Agents know from the credible and reliable CS that the U.S. Currency was to be delivered to LORENZO at his residence located at 6802 Bryonwood Dr, Austin, Texas. Mark REW was provided a receipt for the seizure of the money for his records. The CS also informed Agents that JAIMES sent a money gram to Jennifer REW and Mark REW in Foley, Alabama to pay their transportation and food expenses during the trip while transporting the \$109,990 dollars in USC.

3. On May 18, 2011, DEA Austin Agents were conducting surveillance at 6802 Bryonwood and observed Jennifer REW driving a blue Ford truck bearing Alabama license plate 5A67S99, registered to Jennifer REW in Foley Alabama, arrive at the residence with Mark REW and an unknown female. Jennifer REW has been identified as Mark REW's sister. Agents further observed Mark REW provide paper work to LORENZO, which I believe was the receipt for the seized money from the Baton Rouge

money seizure. The credible and reliable CS later confirmed that LORENZO had received the receipt for the seized money. During this time, Agents also observed Avelardo JAIMES-Espinoza arrive at the residence in a white Saab bearing Alabama license plate #5A56P25. Agents then observed JAIMES walk over to LORENZO and also look at the police seizure receipts for the money. Agents later observed the white Saab, Jennifer REW, and the unknown female depart 6802 Bryonwood. Once all the vehicles departed the residence, Agents were not able to determine the exact location of Mark REW at this time, but the CS informed Agents that JAIMES had taken Mark REW to JAIMES' residence or a family member's residence where REW was being held against his will. The CS then informed Agents that JAIMES asked LORENZO to get Mark REW from the residence and drive him back to LORENZO's residence located at 6802 Bryonwood.

4. At approximately 6:00 p.m., DEA Austin Agents were conducting surveillance at 6802 Bryonwood Dr., Austin, Texas when they observed a white van bearing Alabama license plate 19584AZ arrive at the residence and pull into the garage. Agents observed JAIMES driving the

vehicle. Agents also observed a blue Ford truck bearing Alabama license plate 5A67S99, registered to Jennifer REW in Foley Alabama arrive back at the residence. Agents later observed REW depart 6802 Bryonwood, Austin, Texas in the white van and an unknown female depart in the blue Ford Truck.

5. Later in the evening, Agents received additional information from the CS that Mark REW's life was in immediate danger because of the money being seized and was being held as a captive by the organizational members. Furthermore, Agents learned from the CS that Mark REW was being held at 6802 Bryonwood Dr, Austin, Texas and a gun was involved. Based on the aforementioned facts, Agents immediately made entry into 6802 Bryonwood Dr., Austin, Texas due to the exigent circumstance of the immediate threat to Mark REW's life. Agents were able to safely secure the residence and the occupants without any incidents. Mark REW and LORENZO were subsequently taken into custody for money laundering charges and transported to DEA for questioning. Agents secured the residence pending the completion and approval of a stated search warrant. Mark REW was later read his Miranda Warning

at the DEA Austin Resident Office by DEA GS Domenic Ricciardella and FBI Agent Donna Cowling. Mark REW stated to the Agents that he thought they were going to kill him for the seized money.

6. In the early morning of May 19, 2011, TFO Dean Peterson received approval for a state search warrant at 6802 Bryonwood Dr, Austin, Texas. At approximately 1:03 am, Agents executed the state search warrant and subsequently seized 2 small baggies of cocaine weighing 63 grams (seized from master bedroom closet floor contained in a blue bag), chrome and black 9mm Taurus handgun with 15 live rounds in the magazine that was inserted in it (seized from top shelf of the master bedroom closet), approximately \$8,000 in U.S. currency (seized from the top drawer of a dresser in the master bedroom, ledgers (various locations in residence), and a food saver sealer (kitchen). There was not a live round in the chamber of the gun and the gun appeared to be in good working condition. Agents asked Magdalena Gaspar-Rodriguez, who has children with LOREZO and sleeps in the same master bedroom with LORENZO, if the gun and money were hers. She informed Agents that the gun was LORENZO's and the money was

not hers. She further informed Agents that the gun was located in LORENZO's closet and the money was located in LORENZO's chest of drawers. During routine questioning of LORENZO for DEA book-in paper work, LORENZO informed Agents that he was in the United States illegally from Mexico.

7. On May 31, 2011, a certified Austin PD K-9 conducted a free air sniff on the outside of JAIMES' residence located at 301 E. Croslin St Apartment #101, Austin, Texas and the K-9 gave a positive alert for the presence of narcotics. The K-9 also gave a positive alert on JAIMES' white Saab, which was parked in the apartment complex's parking lot. Based on the K-9 alerts for the presence of narcotics at JAIMES' residence and on his vehicle, Agents obtained a state search warrant for both. The state search warrants will be executed at a later date.